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OFFICE OF PETITIONS

In re Application of	:	
Ronald P. Bianchini	:	
Application No. 09/293,563	:	DECISION ON PETITION
Filed: April 15, 1999	:	
Attorney Docket Number: FORE-43	:	
Title: VERY WIDE MEMORY TDM	:	
SWITCHING SYSTEM	:	

This is a decision on the petition filed August 27, 2005, pursuant to 37 C.F.R. §1.137(a)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR §1.113 in a timely manner to the final Office action mailed December 23, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR §1.136(a) were obtained. Accordingly, the above-identified application became abandoned on March 23, 2004.

With the present petition, Petitioner has submitted the petition fee, a statement of facts, a Request for Continued Examination (RCE), the fee for the same, a copy of his docket report, an assertion that the final Office action was not received, and a statement that he has searched his office, the file jacket, and the contents thereof, and said final Office action was not located.

¹ A grantable petition pursuant to 37 CFR §1.137(a) must be accompanied by:

- (1) the required reply (in a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application; in an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof);
- (2) the petition fee;
- (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable, and;
- (4) a terminal disclaimer (and fee as set forth in §1.20(d)) required pursuant to paragraph (d) of this section.

As such, the petition under 37 C.F.R. 1.137(a) is **GRANTED**.

Petitioner filed a Request for Continued Examination (RCE) under 37 C.F.R. §1.114, including a request for consideration of a concurrently submitted amendment and payment of the RCE fee. The RCE has been accepted as the required reply under 37 C.F.R. §1.137(a)(1).

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.



Paul Shanowski
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